II. REMARKS

1. Claims 1-39 remain in the application.

2. Claims 1-39 are patentable over the combination of Matsumoto et al. (US 5,819,212, "Matsumoto") in view of Yasunaga et al. (US 6,453,288, "Yasunaga").

The combination of Matsumoto and Yasunaga fails to disclose or suggest using the determined coding efficiency to select a pitch predictor order for the selected coding method, if the audio signal is coded on the basis of a predicted signal in the selected coding method, as recited in claims 1, 21, and 27.

The Examiner correctly points out that Matsumoto fails to disclose this feature. However, the Examiner further states that Yasunaga (column 15, lines 1 to 10; Abstract) teaches selecting the pitch predictor order according to the coding mode.

There is no mention of pitch predictor selection or the basis of the order selection at all in the cited paragraphs of Yasunaga.

In column 15, lines 1 to 10, to which the Examiner refers, Yasunaga teaches calculating the transfer function of the pitch-weighting filter from pitch predictive coefficients, pitch-weighting constants and the first pitch candidate. The calculation referred to deals with the reduction of the linear predictive residual but does not deal with the problem of LTP order selection. Thus, there is no disclosure related to using the determined coding efficiency to select a pitch predictor order for the selected coding method.

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In the abstract, Yasunaga very generally discusses replacing the conventional CELP-type speech coding/decoding system with a vector stream generator which is more efficient in the sense of memory usage. Again, there is no disclosure related to using the determined coding efficiency to select a pitch predictor order for the selected coding method.

Column 12, line 50; column 16, line 12, of Yasunaga explicitly disclose that a fixed value (=10) is presented for the prediction order. In contrast, the present application states that the pitch prediction order may vary (page 6, line 32, to page 7, line 7).

Applicants note that Yasunage is directed to developing an LTP-based coding/decoding method that requires less memory than the conventional CELP-based method, in contrast to the present invention which is directed to improving the LTP-based method itself.

Because the combination of Matsumoto and Yasunaga fails to disclose or suggest all the features of the independent claims, Applicants respectfully submit that claims 1-39 are patentable over the cited combination of prior art.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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